



05-CV-00447-JGM

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MARIO VALENCIA-ALVAREZ,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. C05-447-TSZ-MJB  
(CR02-177Z)

ORDER DENYING § 2255 MOTION

The Court, having reviewed petitioner's motion to vacate, set aside, or correct his sentence under 28 U.S.C. § 2255, the government's response, petitioner's reply, the Report and Recommendation of the Honorable Monica J. Benton, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

(1) The Court adopts the Report and Recommendation. *The COURT NOTES That the Petitioner's Conviction was affirmed on June 21, 2003.*  
(2) Petitioner's § 2255 motion (Doc. #1) is DENIED.

(3) The Clerk is directed to send a copy of this Order to the parties and to Judge Benton.

DATED this 22nd day of Dec., 2005.

  
THOMAS S. ZILLY  
Senior United States District Judge

ORDER DENYING § 2255 MOTION